

**210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR-2113-2020(O&M)

Date of decision: 02.12.2020

Bal Krishan Bindal

.....Petitioner

Versus

Harish Kumar

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Naresh Kumar Bansal, Advocate for the petitioner

Mr. Akshay Jindal, Advocate for the respondent

ANIL KSHETARPAL, J. (ORAL)

The tenant-petition has filed the present revision petition against the order of eviction passed by the learned Rent Controller which has been affirmed by the appellate authority. The eviction has been ordered on the ground of personal necessity.

On 11.8.2020, the following order was passed by this

Court:-

“At the outset, counsel for the petitioners submits that he has necessary instructions that he does not wish to press the present revision petition on merits since both the Courts are against the petitioners and there is a ejectment order on the ground of personal necessity. It is submitted that the petitioners are carrying on business for 35 years in the premises and need time for relocation. To shift to similarly situated commercial premise keeping in view the present COVID-19 pandemic is difficult. Accordingly, counsel further submits that an undertaking will be submitted before this Court that the petitioners would vacate the said premises by 31.12.2021.

Let, undertaking be furnished to this extent by way of affidavit of the petitioners on or before the next date along with the demand draft clearing all the arrears of rent which will fall due on 30.11.2020.

Notice of motion for 02.12.2020.

In the meantime, execution proceedings are stayed.”

Sh. Akshay Jindal, Advocate has appeared for the respondent.

Learned counsel for the petitioner submits that he has filed an affidavit in compliance with the order dated 11.8.2020. The same is taken on record.

Sh. Akshay Jindal, Advocate has made a sincere attempt to persuade this Court to reduce the period, however, keeping in view the order already passed, this Court expresses its inability.

Keeping in view the aforesaid facts, learned counsel for the petitioner prays for permission to withdraw the present petition subject to the order dated 11.08.2020 being made absolute. Accordingly, the revision petition is dismissed as withdrawn. Whereas order dated 11.08.2020 is made absolute. The petitioner shall remain bound by the undertaking filed by way of affidavit dated 23.11.2020. He shall also be bound to deposit the advance monthly rent in the beginning of each quarter of the year. However, the petitioner would be at liberty to deposit the rent in the bank account of the respondent-landlord, details whereof would be furnished by the respondent-landlord to the petitioner.

With these observations, the revision petition is disposed of.

02.12.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No